Responding To Child Victims And Witnesses Of Violent Crime

Kimberly Poyer MSW LCSW

Child Interview Specialist

Federal Bureau Of Investigation

kpoyer@LEO.gov

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A Brief Survey of the Client

- Children are victimized in multiple ways: physical abuse and assault, sexual assault and exploitation, neglect, kidnapping and homicide
- Children are victimized by family members, caretakers, friends, acquaintances, and strangers
- Children experience trauma from being eyewitnesses to crime, violence, and homicide

Recognizing Child Victims and Witnesses

- Of the 22.3 million children between The ages of 12 and 17
  - 1.8 million have been the victim of a serious sexual assault
  - 3.9 million have been the victim of a serious physical assault
  - 9 million have witnessed serious violence

National Center on Child Abuse and Neglect

- 2.9 million children reported as alleged victim
  - 60.4% of reported cases referred for investigation
    - 54.7% not substantiated
    - 29.2% substantiated
- 826,000 children reported as victims
  - **11.8 per 1000**

Abuse Statistics

- 58.4% neglect
- 21.3% physical abuse
- 11.3% sexual abuse
- 35.9% other abuse

The Etiology of Child Maltreatment

- A Developmental-Ecological Analysis (Belsky, 1993)
  - Child maltreatment is multiply determined by a variety of factors operating through transactional processes at various levels of analysis in the broad ecology of parent-child relations

The Etiology of Child Maltreatment

- The Child
- The Parent
- The Family
- The Environment
- The Culture

Sexual Abuse

- **Prevalence** (estimated proportion of the population that may have been sexually abused in their childhood)
  - Females 6-62%
  - Males3-31%
- The **incidence** of child sexual abuse has risen since the early 1970s when mandated reporting laws came into effect

Four Preconditions: A Model Finkelhor

Precondition	Individual	Social/Cultural
I: Factors Related to Motivation to Sexually Abuse		
Emotional Congruence		
Sexual Arousal		
Blockage		

Precondition	Individual	Social/Cultural
II: Factors predisposing to Overcoming Internal inhibitors		
III: Factors Predisposing to Overcoming External Inhibitors		
IV: Factors predisposing to Overcoming Child's resistance		

Abuse Factors

- Intra or extra familial abuse
- Kinship relationship between the victim and the perpetrator (intra)
- The familiarity of perpetrator to victim (extra)
- The sexes of the perpetrator and the victim
- The ages of the perpetrator and the victim
  - age discrepancy between the two
- Frequency of the abuse

Abuse Factors

- Duration of time the abuse took place
- The intent of the perpetrator
- The use of coercion or threats
- Was the abuse disclosed or kept secret
- Response of those to whom the victim disclosed the abuse
- Legal action after the disclosure
- Did the family remain intact after the disclosure
- Was the victim placed outside the home

The Dynamics of Incestuous Families

- Family is close with a secretive quality
- Full communication among family members
- Marry young and/or immature quality to the marriage
- Large number of children
- Father seen as rigid or domineering
  - 33-73% prevalence of ETOH
  - tyrannical, paranoid, isolative
- Mother is seen as non-assertive, passive, or dependent

The Underreporting of Incest

- The taboo against talking about it
- The dynamics of the family
- Society’s refusal to look at the problem
- A cultural view of the family as sacred
- The child’s development and ability or inability to understand the dynamics of the abuse

The Psychopathology of Sexual Abuse

- Premature sexual stimulation
- Deviant learning
- Accommodation
- Traumagenic dynamics
  - *Traumatic sexualization*
  - *Sense of betrayal*
  - *Sense of powerlessness*
  - *Stigmitization*
- Post traumatic stress disorder

Violence in the Lives of Children

- Rates of child abuse have not abated. In fact, rates of severe physical abuse to children has increased
- 28% of college students reported having had an abusive relationship with a sibling during childhood
- By age 13 the average child has witnessed more than 8,000 murders on television and 100,000 acts of television violence

What Kids See

Prevalence rates for younger children's exposure included:

- Shootings (47%)
- Muggings (45%)
- Serious accidents (74%)
- Drug deals (69%)
- Stabbings (31%)
- Dead bodies (37%)
- Arrests (88%)

What Kids See

- Richters and Martinez (1993) obtained children's and mothers' views of the violence children witnessed
  - Children's reports of their victimization were significantly higher than parent's reports
  - When compared with actual police reports of the same incidents, children's reports more closely matched those of the actual statistics than the parents reports

Homicides

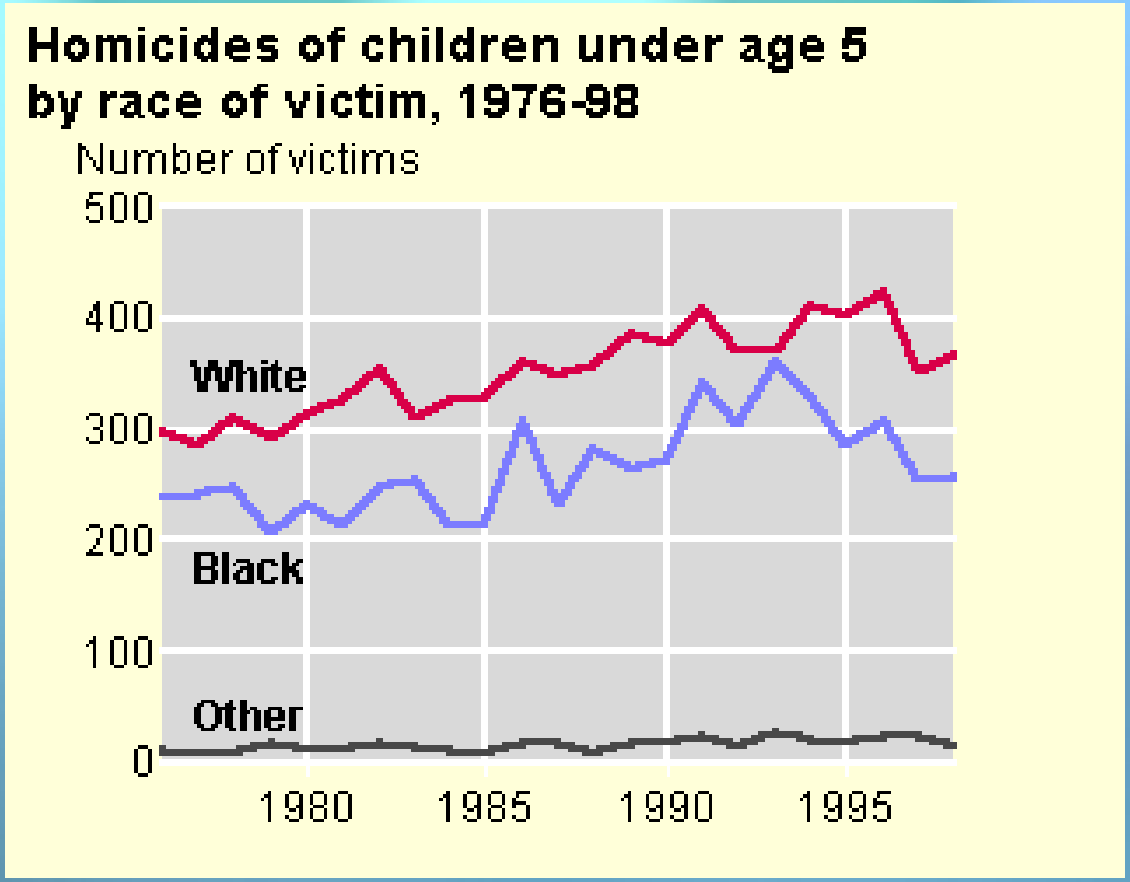
- One murder occurs every 28 minutes in this country
- Homicide is the second leading cause of death for those between 15 and 24 years of age
  - Males at high-risk
  - Black males seven times the risk than white males for being murdered

Homicides

- The majority of homicide victims know their attacker
- 40 % of homicides occur in the victims home
  - There is a *high probability* that children may witness the homicide of a sibling, parent, or caretaker

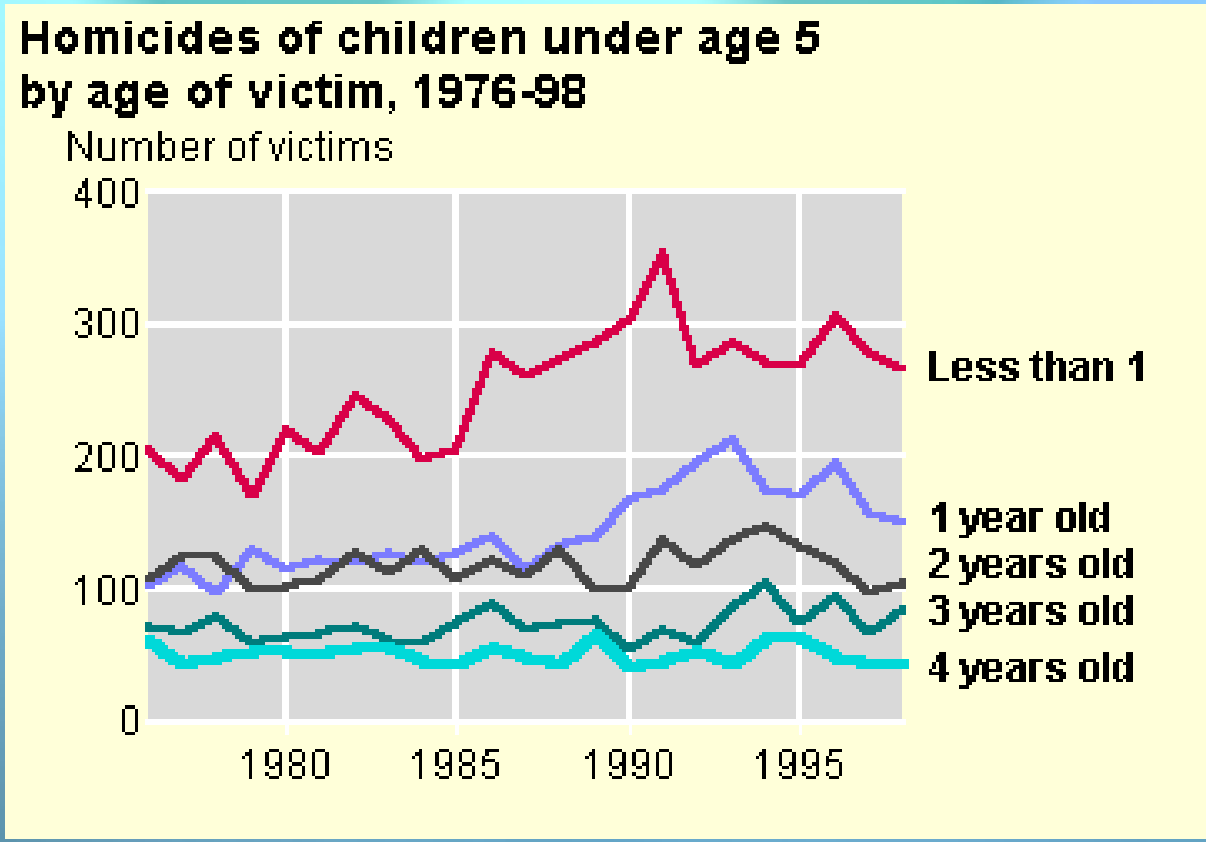
Child Fatalities

- 110/100,000
- 77% of the victims are under the age of three
- A majority of children are killed in their homes or the homes of their caretakers
  - When a child witnesses a child fatality there is an ***extremely high probability*** that they will know the victim and the perpetrator intimately



Source: US Bureau of Justice Statistics

FBI Supplementary Homicide



Source: US Bureau of Justice Statistics

FBI Supplementary Homicide

Child Fatalities

- Of all children under age 5 murdered from 1976-98
  - 31% were killed by mothers
  - 31% were killed by fathers
  - 23% were killed by male acquaintances
  - 6% were killed by other relatives
  - 3% were killed by strangers

Homicide/Suicide

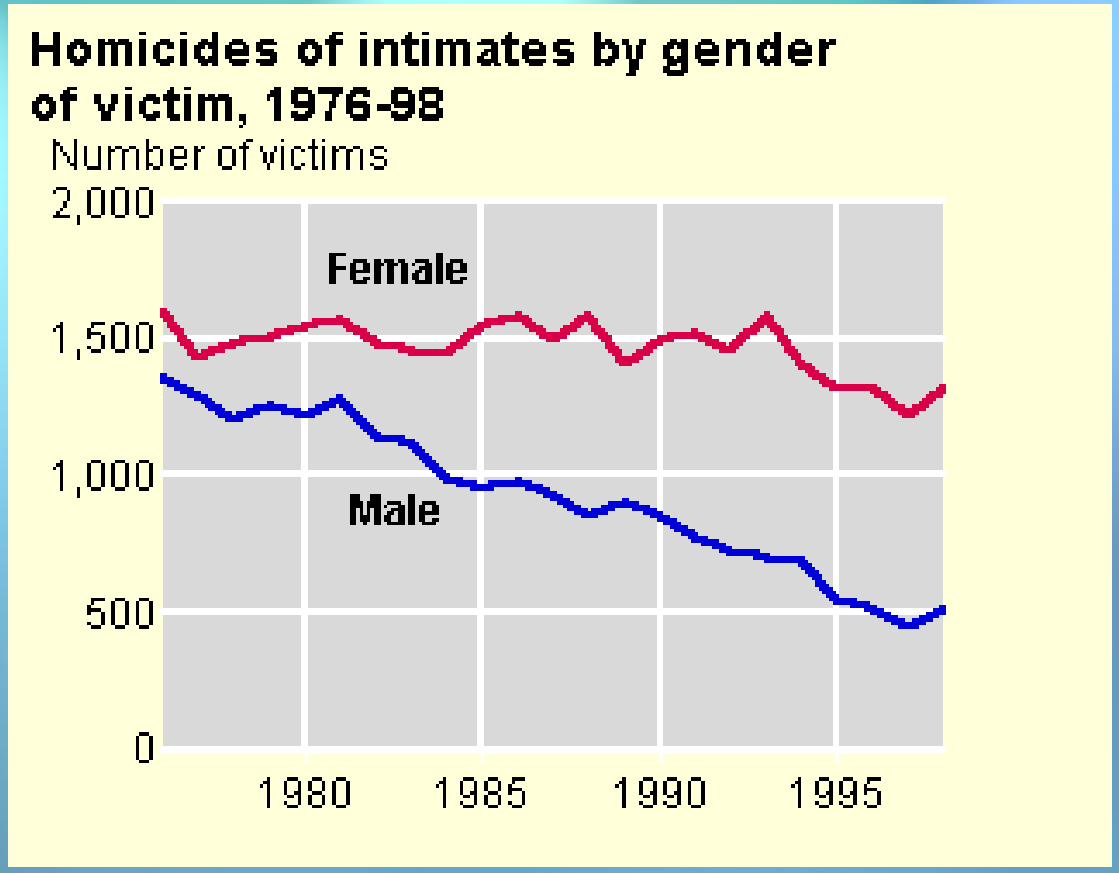
- 1998 study largest to date
  - ‘88 -’92 North Carolina female victims/male perpetrators
    - In 43% of the cases children either witnessed the homicide/suicide, were in the immediate vicinity, found the bodies, or were killed
    - In 41% of the cases the victim was separated from the perpetrator
    - 29% of these cases involved past reported incidents of domestic violence

Domestic Violence

- Massachusetts child protection workers found that 35% of substantiated child abuse cases had mothers who were being currently battered
- 50% of men who abuse their wives frequently abuse their children

Domestic Violence

- Children were more likely to be abused when they tried to intervene and stop the abuse of their mothers
- 3 to 10 million children witness domestic violence every year
- Children are present in an overwhelming majority of domestic violence 911 calls



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FBI Supplementary Homicide

Sexual Assaults

- Approximately 34% of rapes occur in the victims home
- 67% of rapes were committed by individuals known to the victim
- Children are at risk to be in the vicinity or witness the actual rape

Victimization

The way people cope as victims depends on several factors

- *Their past experiences*
- *The type of crime*
- *The severity of the crime*
- *Their relationship to the suspect*
- *What experience they have with law enforcement immediately following the crime*

What Victims Need

- The need to feel safe
- The need to express their emotions
- The need to know “what comes next” after their victimization

The Need to Feel Safe

- Introduce yourself by name and title
- Reassure victims of their safety, ***if you can***
- Ask victims to tell you in a sentence or two what happened
- Offer to contact support people and provide a “safety net” before leaving the victim
- Ensure privacy and inform of confidentiality whenever possible
- Enable victims to assert themselves, make decisions, and regain control whenever possible

The Need to Express Emotions

- Avoid interrupting or cutting off emotional expression
- Notice body language, such as posture, facial expressions, gestures, and eye contact
- Assure victims that emotional reactions to the crime are not uncommon
- Counter self-blame
- Ask open-ended questions, utilize active listening techniques, and rephrase responses

The Need to Know "What Comes Next"

- Briefly explain your agency's policies and procedures
- Tell victims about subsequent interviews
- Explain what information may be available for public dissemination
- Give pamphlets listing helpful resources
- Counsel victims that lapses of concentration, memory, depression, and physical ailments are normal reactions for crime victims

Interviewing Child Witnesses

- Picking a location
- Timing of the interview
- Choosing appropriate interviewers
- Developing interviewing protocols
- Documentation
- Assisting the child after the interview

Interviewing Child Witnesses

- Understanding trauma affects
  - Post traumatic stress disorder
  - Children in violent environments
- Key issues
  - Loyalty conflict
  - Feelings of guilt and/or responsibility
- Validating the child's reality

Forensic Interview Protocol

- Rapport building
- Developmental assessment
- Assessment of competency
- Bolstering to reduce suggestibility
- Eliciting information
- Trauma assessment
- Closure

Language Issues

Skills	3	4	5-6	7-8	9-10
How				xxxxx	xxxxx
When			xxxxx	xxxxx	xxxxx
Where	xxxxx	xxxxx	xxxxx	xxxxx	xxxxx
What	xxxxx	xxxxx	xxxxx	xxxxx	xxxxx
Who	xxxxx	xxxxx	xxxxx	xxxxx	xxxxx
How many				xxxxx	xxxxx

Interview Formats

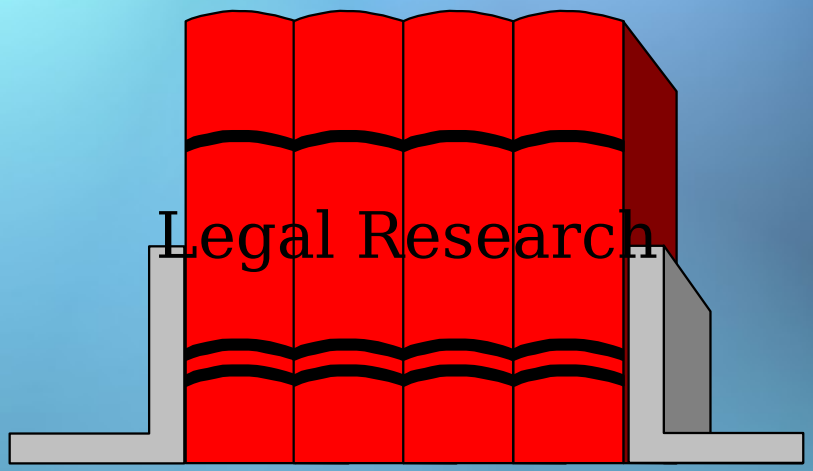
Factors	Clinical	Forensic	Interrogation
Client	Child/child's parent	Judicial system	Police department
Goal	Assess presenting Problem/Develop Treatment plan	Obtain an Objective statement	Admission of guilt/confession/gathering intelligence info
Role of interviewer	Advocate	Fact finder	Fact finder
Stance	Pro-child	Neutrality	Confrontational
Assumption	Trustworthiness of the child	Existence of multiple hypotheses	Existence of multiple hypotheses
Questioning Techniques	Therapeutic	Open-ended	Leading

Assisting Children and Families with the Court Process

- Children are vulnerable to re-victimization when confronted with a court process they have no experience with and don’t understand
- Children need the support of staff and family when facing the challenge of court testimony

Trial Practice

- Preparation
- Preliminary Hearing/ Grand Jury
- Trial
- Alternatives
- Recantation issues

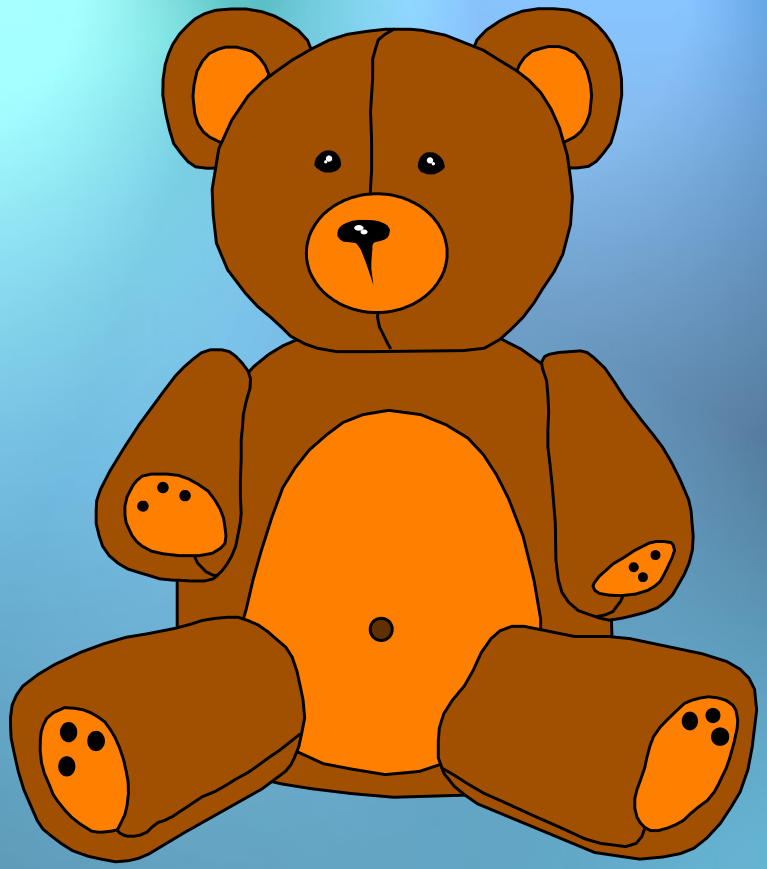


Preliminary Hearing/Grand Jury

- Child to establish probable cause
- Recording testimony that may change
- Allowing testimony to be used for the truth of the matter
- Opportunity to assess child for later trial
- Desensitizing children to the process
- Testimony closer to the event

Preparation

- Individual preparation
- Assessing the child's need to testify
- Court school
- Review services
- Psychological assessments
- Victim advocate



Alternatives to Traditional Testimony

- Video tapes
- Closed -Circuit television
- Change of environment
- Video tape deposition by closed-circuit television
- Placement of child/prosecutor/support person

Recantation Issues

- How can we avoid?
  - Preparation
  - Placement
  - Environment
  - Support
- Impeachment at trial
  - Using prior statements or testimony

Sentencing Issues

- Should child appear
- Victim-impact statement
  - What form should it take?
  - Who should assist?
  - What materials should be used?
- Assessment of child

Ethical Issues

- Safety of child
- Safety of family
- Psychological damage to child
- Long-term effect on family structure
- Should the child be represented